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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
AZMIE MADANAT, individually and on  
behalf of all others similarly situated,

Plaintiff,

-against-

FIRST DATA CORPORATION; FIRST  
DATA MERCHANT SERVICES  
CORPORATION; and DOES 1-25  
INCLUSIVE,

Defendants.  
-----X

ORDER

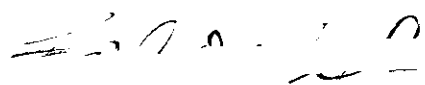
CV 11-364

(Wexler, J.)

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT  
★  
NOV - 4 2014  
LONG ISLAND

Before the Court is Plaintiff's motion for summary judgment. Familiarity with the prior proceedings in this action is assumed. On September 3, 2014, the Court held a hearing on Plaintiff's motion, which sought a declaration from this Court that the optional liquidated damage provision contained in First Data Corporation's standard equipment lease contracts is illegal. See Docket entry 95. For the reasons stated on the record, the Court denies Plaintiff's motion for summary judgment, finds that Plaintiff lacks standing, and dismisses the action with prejudice. The Clerk of the Court is directed to terminate the motion at docket entry 95 and close the case.

SO ORDERED.

  
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LEONARD D. WEXLER  
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York  
November , 2014